

HON. JOSEPH HOWE,

THE GREAT LIBERAL STATESMAN OF
NOVA SCOTIA.

VERY REV. PRINCIPAL GRANT,

M. A., D. D., LL. D.,

CHANCELLOR, QUEEN'S UNIVERSITY, KINGSTON.

PROF. GOLDWIN SMITH,

THE EMINENT WRITER.

IN OPPOSITION TO

PROHIBITION

AND COERCION.

F5012
1898
H856

Hon. Jos. Howe on Prohibition

STRONG SPEECH IN THE NOVA SCOTIA LEGISLATURE.

APPLICABLE TO PRESENT TIMES.

The Maine Liquor Law was adopted in New Brunswick, but after a year's experience of its effects, it was, on an appeal to the people, condemned with singular unanimity, and immediately repealed. It was discussed with a good deal of ability in the House of Assembly of Nova Scotia during the session of 1854 and 1855, and at one time a small majority decided in its favor. The bill was subsequently postponed and abandoned. One of the most brilliant speeches on the subject was delivered by the Hon. Joseph Howe, the great Liberal statesman of Nova Scotia. This speech has been republished in pamphlet form in Nova Scotia, and has been frequently referred to, and quoted and misquoted in portions of the press. As an able presentation of the case, it deserves, if used at all, to be perused in full, so that all may see what arguments the great orator really used.

After much reflection upon the subject, he had not been able to bring his mind up to assume the responsibility of voting for this bill. He would gladly have done so, because a very large and highly respectable body of his constituents were in favor of it. He had not expressed his sentiments last winter, because during that session he had occupied much time with other topics, and because this had been debated at great length and with marked ability by gentlemen on both sides. He would gladly now refrain, but during the eighteen years he had sat in this Assembly he had never shrunk from an expression of his opinions upon any public question. It was due to the country at large, to his constituents, to the men who sat around him, that he should, even at the risk of offending those whom he most respected, give his reasons with his vote. He fully admitted the truthfulness of the harrowing pictures of physical suffering and moral degradation drawn by the honorable and learned member for Annapolis. He admitted, in all their extent, the evils of intemperance. He admired the self-devotion

and earnestness with which large bodies of men had endeavored to eradicate those evils. He approved of the efforts made by the temperance societies, and wished them success, so long as they sought to reform by persuasion, by argument, and by example. When they attempted impossibilities; when they sought to coerce the people into temperance, he conscientiously believed that they would fail; he believed that all the good they had done would be perilled by a resort to harshness and coercion.

The Deity had not prohibited the use of wine. On the contrary, He had given the grape to man with innumerable other bounties. Our Saviour had not prohibited the use of wine. He had sat with those who drank it, and had, by a miracle, replenished their cups at the marriage feast. The apostles had not forbidden the use of wine. Its use was denounced in the Koran by the Pagan Mahomet, but was not, so far as he could perceive, in the Bible. What, then, the Almighty had not done or attempted; what he could have done with so much ease, yet had refrained from doing, he thought it not wise for man to attempt.

The evils flowing from the excessive use of wine he deeply deplored, as he did the evils flowing from over-indulgence of any other passion or propensity. But who could argue from excess of any kind that the rational enjoyment of God's gift was therefore sinful? Who would venture to argue, that because mischief was done by many of God's gifts, they should, on that account, be circumscribed or prohibited by human laws? The atmosphere that fans the cheek of beauty, that invigorates the frame, that flutters the leaf upon the tree, that dimples the surface of the lake, that gives variety and majesty to the ocean—when accumulated in masses, lashes itself into the tempest and strews the shore with the wrecks of human life and property. The learned member standing amid the wreck of navies and the whitening bones of human victims might eloquently describe the scene; but would he, if he could, attempt to restrain the eccentricities of nature, or to forbid to man, by human laws, the benefits of navigation? How beautiful is water! (the temperance man's element) yet how dangerous. The rain which fertilizes the fields, sweeps away with its excess bridges, mills and human habitations. If not drained off it sours the land, and breeds pestilence in cities. The fire that warms our hearths, that clears our woodlands, that smelts our metals, that drives our steamers and locomotives, is not less dangerous. Would he deny to man the

use of these elements, because the casualties by fire and flood are most disastrous? Would he forbid their use, because people are burned in cities—drowned in the rivers; because a boiler bursts at sea, or an engine sometimes runs off the track, or kills hundreds by the violence of a collision? William the Conqueror, it is true, once denied to the people of England fire and light after the curfew tolled; but the abhorrence in which the act is held would not encourage anybody to follow his example.

Woman is God's best gift to man. The fascination which she spreads around her—how difficult to resist; the passions she inspires—how intimately interwoven with all that arouses to exertion, and rewards us for our toils. Yet, when even love is indulged in to excess; when reason is empowered; when passion hurries on to folly, how numerous the victims; how blasting the effects. Yet who would, reasoning from the perils of indulgence and the dangers of society, deny to man the companionship which alone makes existence tolerable? The learned member for Annapolis might draw from the sinks of vice, or even from the agony of a single victim, some harrowing pictures, but would he, on that account, imitate the Turks, and lock up all the women? The victims of indulgence in opium I have never seen, but even spirituous liquors do not produce the extent of physical suffering and moral dislocation that results from the abuse of this drug. But would the learned member deny to society the use of that which allays the delirium of fever—which soothes the infant upon the woman's bosom, and saves more lives than it ever destroys? Take gunpowder, which blasts our rocks, loosens our plaster, defends our country, kills our game. Mark the mischiefs and miseries it produces when its mysterious power is abused. But who would argue that, because boys blow themselves up, and tyrants use gunpowder for unworthy purposes, its use should be forbidden? Would the learned gentleman, even with the battlefields of Balaclava or Inkerman before him, attempt to restrain, by human laws, the manufacture and sale of gunpowder? Who denies that law is the safeguard of our lives and property; that courts are indispensable institutions; that lawyers are the fearless advocates of the innocent and oppressed? But has not even law been abused? How many pettifoggers defile the courts, ensnare the ignorant, waste men's estates and embitter their lives? Walter Scott's Peebles and Planestanes and Dickens' pictures of the Court of Chancery are familiar to us all. These are but sketches illustrative of the evils

inseparable from the dispensation of equity and law by the most perfect tribunals of civilized countries. How are these evils to be mitigated or removed? I would say by discussion; by exposure; by example; by honest and successful attempts to separate the securities and the legitimate practice of law from its abuse. The learned advocate of this bill, to be consistent, should close the courts, imprison the lawyers, and forbid the manufacture of law, or its importation from foreign countries. Woman, from her first appearance on the scene of life, has brought sorrow and suffering with her. In her train came rivalries, and jealousies, and war, and strife. Let the learned member go into his own county where the pretty faces peeping through the apple blossoms are lovely to behold. Even there, are there no broken hearts, no pale faces, no blighted lives, no damaged reputations? No girls, with Burns' pretty excuse upon their lips:—

“A dear loved lad, occasion snug,
A treacherous inclination.”

No youths pleading, in the intonation of passionate repentance, that even

“The light that led astray
Was light from heaven.”

Yet would the learned gentleman, in view of all these evils, point to the pretty girls and say, “Touch not, taste not, handle not?” Would he, for fear of mischief, coop them up like cows in a Belgian barn?

The world has come down to the present period, from the most remote antiquity, with the wine cup in its hand. David, the man after God's own heart, drank wine. Solomon, the wisest of monarchs and of human beings, drank wine. Our Saviour not only drank it, but commanded Christians to drink it, “in remembrance of Him.” In strong contrast with our Divine Redeemer's life and practice, we hear of the Scribes and Pharisees, who drank it not—who reviled our Saviour as a “wine bibber,” and the “companion of publicans and sinners,” who would have voted for the Maine Liquor Law as unanimously as they cried, “Crucify Him.”

Such people have existed in all ages of the world. The desire of human beings to dictate to each other what they should eat, and drink and wear, has been evinced in different countries at different periods. The zealots in the State of Maine are mere plagiarists after all. Sumptuary laws, tried in many countries, and at different periods of the world's history, are now universally condemned by the good sense of mankind. Laws restraining drunkenness are nearly as old as drink-

ing. It is curious to see what strange experiments have been tried at times. Zaelucus of Locris, four hundred and fifty years before the Christian era, ordained "that no woman should go attended with more than one maid unless she was drunk ; and that she should not wear gold or embroidered apparel unless she intended to act unchastely." This sage lawgiver punished adultery with the loss of both eyes. His own son broke the law ; and the old gentleman, unwilling to deprive his son of both eyes, compromised the matter by putting out one of his own.

As early as 747, laws were passed in England restraining drunkenness in the clergy ; and Constantine, King of Scots (who was a sort of Neal Dow in his day), punished with death.

His laws passed as this law will pass, and a good deal of whiskey has been drunk in Scotland since. In England, in 995, an effort was made to restrain drinking by law, but it failed. Taverns were only introduced in the thirteenth century. In the reign of Edward the Third there were only three allowed in all London ; now there are thousands. Edward the Fourth tried to restrain them in 1552 ; forty were then allowed in London, eight in York, and but four in Oxford. They were not licensed till 1752. The history of wine is curious ; its invention is attributed to Noah, who certainly had seen enough of the evils of water. The Chinese made wine from rice two thousand years before the birth of Christ ; and, although it must be allowed that they have tea enough, they make and drink it yet. Wine was but little known in England till the Roman conquest. We are told that it impairs our strength ; yet the people who drank it conquered those who did not. It was only sold by the apothecaries (as is now proposed again) in the thirteenth century. In 1427, Henry the Sixth, a sensible king, tried to restrain its adulteration, and we read, "that one hundred and fifty butts and pipes were condemned and emptied into the gutters in London, for being adulterated."

The Stoics denied themselves the use of wine, but their sect soon died out. The Puritans tried the experiment of coercing people into temperance and virtue, but they signally failed. I invite the honorable and learned member for Annapolis to review this period of English history. I refer to the time when the Puritan cause was most triumphant ; when Charles had been slain, his followers dispersed ; when Cromwell reigned at Whitehall ; when his Major-Generals held military command of all the counties ; when the May-poles were struck down, the theatres

closed, the taverns shut up ; when mirth was restrained, and temperance enforced by the sword. Now, what was the effect of all this ? No sooner was the Protector in his coffin, than the people of England, by a common impulse, threw off a system which they regarded as oppressive. So distasteful had these restraints become, that the people restored the Stuarts, forgot their civil wars and sacrifices, and reopened their theatres and taverns ; and so disgusted were they with Puritan domination, that liberty was forgotten in the general joy which the restoration of personal freedom occasioned. The wine cup went round, and from that day to this, no attempt has been made to re-establish Cromwell's system. Now, I fear that the friends of temperance are about to sacrifice all the good they have done, as the Puritans sacrificed all the reforms that they had established, by carrying restraints too far. This law may be partially enforced for two or three years, but it will coerce people into resistance, and occasion a revulsion of feeling to be followed by universal license.

So far as my reading extends, I may assert that every king, every statesman, every warrior who has illustrated the page of history, drank wine. The apostles, who were the companions of our Saviour, drank it. The prophets, whose flights of inspiration still astonish us, we have every reason to believe, drank it. Cicero and Demosthenes, and all the orators of antiquity and of modern times, indulged in the juice of the grape. Who can say how much of the energy which gave them such power of language was drawn from its inspiration ? Have these men been eclipsed by the Dows and Kellogs of the platform ? What orators has the State of Maine sent forth comparable with the Pitts, Burkes, Grattans, Foxes and Sheridans of the British Islands, every one of whom drank wine ? Let the learned gentleman glance at the noble structures—the architectural wonders that embellish Europe. Who reared them ? Men of gigantic intellects whose common beverage was wine. Let his eye range through the noble galleries where the sculptures have left their statues ; where the painters have hung in rich profusion the noblest works of art. Wine, we are told, clouds the faculties and deadens the imagination. Yet it was drank by those benefactors of their race ; and we cannot, with their masterpieces before us, believe the assertion, till their works have been eclipsed by artists trained up under this rigorous legislation. Has Maine turned us out yet a statue that anybody would look at ; a picture that anybody would buy ? Look at the deliverers of mankind ; the heroic

defenders of nations. Was Washington a member of the temperance society? Did not Wallace "drink the red wine through the helmet barred?" Who will undertake to say that Bruce, on the morning on which he won the battle of Bannockburn—that Tell, on that day when he shot the apple off his son's head, had not tasted a glass of whiskey or a stoop of wine?

If then, sir, all this is valuable in the past—if heroism, and architecture, and oratory, sculpture and painting—if all that has bulwarked freedom and embellished life—has come down to us with the juice of the grape, if no age or nation has been long without it, I think it behooves the advocates of this bill to show us some country where their system has been tried; some race of men who drank nothing but cold water.

I turn to the learned member's own profession. I ask him to show me two such lawyers, two judges so eminent, as Lord Eldon and Stowell; the one the wonder of the admiralty, as the other was of the equity court. Yet it is on record that at the very time when these men were oppressed with Herculean labors—when day after day they were delivering judgments so masterly and profound that they defy all criticism—each of these great jurists drank his five bottles of port a day. I certainly would not advise the learned member for Annapolis to try, in this country, an experiment so hazardous. In the moist climate of England this might be done, but not in the dry atmosphere of Nova Scotia. I have sometimes seen him, however, when a few glasses would have done him good. Indeed, I often fancy that, both in the Senate and at the Bar, his wit is not so poignant, or his logic so acute, as in the olden time when he used to take his glass of wine.

My honorable colleague and friend from Cumberland, whose sincerity in this cause I entirely respect, quoted to us last winter the passage from Scripture, "If eating meat causes my brother to offend then I will eat no more." But would my honorable friend shut up all the butchers' shops and forbid by law the sale of meat, for fear somebody would eat too much? Again he told us, "we have tried moral suasion, and have failed." If so, who is to blame? If a speaker here fails to convince his audience, do we permit him to coerce them into belief by force of law? I resist this bill because it is a violation of the voluntary principle. Because it is defended by the old arguments by which fanatics and persecutors in all ages have sought to propagate religious opinions. Hoping to save men's souls (more precious than their bodies), Catholics have burnt Protestants, and Protestants Catholics. The right of private judgment was denied. The right of one human being to coerce others into belief, as is now sought to coerce them into temperance, has been tried a thousand times, and has failed as this attempt will fail.

PRINCIPAL GRANT'S LETTERS

ON

PROHIBITION

As they appeared in the Toronto Daily "Globe," December, 1897;
January, 1898.

PRINCIPAL GRANT'S FIRST LETTER,

In which he introduces the subject, and concludes with the statement that he finds it his duty to vote against Prohibition.

(Special Correspondence of the Globe.)

The Government of Canada has promised that the mind of the people regarding the prohibiting the importation, manufacture and sale of intoxicants shall be ascertained by means of a plebiscite. Parliament will probably be asked at its next session to provide means for taking the vote. If a majority vote yea, the Government will be under a moral obligation to introduce the necessary legislation to give effect to the vote; for even though the popular will shall have been ascertained in an extra-constitutional way, the Government, by adopting the plebiscite, incurs the responsibility of accepting the verdict and giving it the force of law.

And yet it has not been stated officially whether the question shall simply be, "Are you in favor of prohibition?" or whether we shall also be asked as to our willingness to bear our share of the direct taxation which the change may involve.

Neither has it been stated as yet whether a majority of those actually voting, or a majority of the whole electorate, shall be considered by the Government to be an adequate expression of the popular will. But, once the principle of the plebiscite has been accepted, both of these points are of minor importance, though I have no wish to belittle either of them.

The matter of transcendent importance is that the Government has promised, in accordance with the programme adopted at the Liberal Convention of 1893, to submit to direct vote a question involving, not only great commercial, manufacturing and industrial interests, but also

popular habits and tastes and public morality. The Premier must have thought well before giving the promise. He must have come to the conclusion that there was something unworthy of statesmen in paltering longer with a question which had agitated the public for many years, and had been staved off by glittering unrealities. He must have decided that to deal straightforwardly with it and to throw upon the whole people the responsibility of giving a decision was wiser, and certainly more moral, than to try and humbug sincere advocates of prohibition with subterfuges or vague promises.

TIME TO CONSIDER OUR DUTY.

Unquestionably he has taken a great risk; but if his doing so springs from trust in the good sense of the people, as we have a right to suppose, it is high time for us to consider our duty in the premises with all seriousness and calmness. So far as I know, the proposal to enforce prohibition has never yet been submitted by a Government to the votes of any nation in the world. Municipalities, counties, provinces, states, have voted for and have actually tried prohibition; but for a Dominion scattered over half a continent to try it, especially with a boundary line of thousands of miles, on the other side of which it is lawful to import, manufacture and sell, is an experiment that one is tempted to term quixotic.

And yet, judging by the results of votes which have been taken in Manitoba, Ontario, and the Maritime Provinces, the people seem ready to try the experiment. True, a number of electors, not favorable to prohibition, but who dislike the liquor traffic and sympathize with the moral fervor of many who are fighting against it, declined to go to the polls. But this class may take the same attitude when a Dominion prohibitory law is proposed.

Though a sane, we are a young people, and therefore not disinclined to try a big experiment. We feel, with ill-founded confidence, that should it fail it will be quite easy for us to go back to the former state of things, just as in 1884 the Scott Act, carried in nearly the whole of Ontario, was in a few years repealed by majorities larger than those by which it had been carried.

Is this the reason why the great organs of public opinion have as yet said little or nothing on the subject? Or is it because party interests or their own circulation would suffer if they took a decided stand against prohibition? If the former be the reason, they have not considered how much more is involved in Dominion than in local legislation. If the latter, only those who are willing themselves to risk something have the

right to blame them. Clergymen in active work are not free to take any side but one on this question, and therefore silence on their part is legitimate. There is hardly one who has not in his congregation parishioners who have suffered, directly or indirectly, because of drunkenness, and to these even a Scriptural argument against prohibition seems a plea for drunkenness or a refusal to put a stop to its ravages. When that comes from their own minister it seems to them like a blow from the sanctuary. The average politician has also good reason for keeping silence. He well knows how intensely some of his friends and some of his foes feel on the subject. It is not for him to give offence to the one class and aid and comfort to the other.

But there are men in Canada—employers of labor, mechanics trusted by their fellows, educational authorities, students of history and sociology, literary men, and others—competent and also free to speak out on this great public, non-party and moral question. With submission it seems to me that it is their duty to do so now, and as no man has a right to ask others when he himself is unwilling to give or do, according to the measure of his ability, I propose to offer a contribution to the discussion.

After long and earnest consideration I have come to the conclusion that a Dominion prohibitory law would be hurtful to the cause of temperance and most hurtful to general public and private morality. Believing this, it is surely my duty to go to the polls and to vote "No" to the question "Are you in favor of prohibition?"

In another communication I shall give some of the reasons that have led me to this conclusion.

Kingston, December 4, 1897.

G. M. GRANT.

PRINCIPAL GRANT'S SECOND LETTER.

Dealing with the Experiment of Prohibition in Maine, and its Results, and also with the Failure of the Scott Act in Ontario.

(Special Correspondence of the Globe.)

The people of Canada, as compared with all other Christian nations, are singularly abstemious. In making comparisons I must confine myself to Christendom, for Mahomet and Gantama, the Buddha—unlike Jesus—absolutely prohibited the use of intoxicating liquors. Every good Mahomedan and Buddhist is therefore a pledged abstainer; but, though we are sometimes promised the millennium under a regime of prohibition, no millennium has come yet in Turkey or Armenia, nor where Buddhism has been supreme for more than a thousand years.

The sobriety of the people of Canada is admitted. Mr. Spence recently stated that the consumption of alcoholic liquors per head in the United States averages 17 gallons a year and in Canada $4\frac{1}{2}$ gallons. What makes this state of things the more remarkable is that, as a rule, northern peoples drink more than those to the south of them, and also that the United States has been the great home and happy hunting ground of prohibition for half a century. It seems to me that if the conditions of the two countries were reversed, I would be ashamed to go to our sober neighbors and lecture them on their duty in the matter of temperance. I might be offered a good fee per night for my services, but shame itself would make me confine my efforts to my own distressful country, even if it were not evident to a self-respecting man that each people can best paddle its own canoe in its own waters.

CANADA IS TEMPERATE.

What has led to our comparatively happy condition of things? A great variety of causes—the healthy, religious sentiment of the people which responds to every sane appeal with regard to admitted evils, an improved public opinion regarding drunkenness, tippling, treating and the use socially of wine or spirits; better food, lodging and clothing for the masses; more refined amusements for all; better cooking; better sanitation; these and other causes have combined with the earnest efforts of temperance reformers to bring about the happy result. We have been winning in the fight for temperance for 50 years, as everyone will admit who knows what the social customs were 50, or even 10 or 20, years ago. The victory is not yet completely won, but why in the name of common sense should we throw away the well-tried swords which have served us so well for the rusty razors of prohibition and constant political fighting to secure new amendments to meet ever new evasions of coercive laws?

We have already had trials, in different provinces, of county prohibition, and the results, from a temperance point of view, are not encouraging. For instance, in Ontario, from 1885 to 1889, the Scott Act years, the convictions for drunkenness averaged annually 6,243. In 1889 the convictions were 7,059. On the other hand, in '94, when we were free from the Scott Act, the convictions were only 3,267. I understand that there were still fewer convictions in 1895 and 1896, but I have not been able to get official returns for those years.

PROHIBITION IN MAINE.

The State of Maine, however, affords a much better illustration of what prohibition can and cannot do than any of our Provinces, and it, besides, is the place to which prohibitionists point with greatest confidence. Dur-

ing the early part of the century Maine was, perhaps, the most drunken State in the Union. A recoil, essentially religious in its origin, began in 1826, which reached its climax in the course of the next 15 years. Total abstinence became a popular enthusiasm all over the State. As early as 1831 the official year-book of the State said that "the quantity of ardent spirits consumed in Maine has been reduced two-thirds within three years." The idea of prohibition never entered the minds of those early reformers. The Washingtonian movement, whose achievements in suppressing intemperance were enthusiastically celebrated in popular songs, reached Maine in 1840, but neither did it dream of prohibition. As one of the leaders said in 1841: "Washingtonians are firm believers in the efficacy and power of moral suasion; this they believe to be the main lever; they hold that doctrine to be unsound which includes the principle of coercion, and therefore they cannot go hand in hand with those who cry out 'give us the strong arm of the law'." Human nature, however, is impatient, and success is apt to make it intolerant. It loves short-cuts.

Maine enacted a prohibitory law in 1846. What has been the result? In the half century that has since elapsed 50 amendments have been called for to meet the evasions and the difficulties attending attempts at enforcing the law! Just as men who have drunk too much are thirsty and cry "more brandy," so the Maine prohibitionists have never ceased to cry for "more law."

Let me refer all who are interested in a study of the Maine liquor laws, and indeed of the whole question, to an admirable volume entitled "The Liquor Problem in its Legislative Aspects," which gives the results of a careful, thorough and impartial investigation, under the direction of the most eminent educational and social reformers in the United States. This enables fair-minded men to form conclusions regarding what prohibition can, and what it cannot, do.

EVASION OF THE LAW.

Prohibition can abolish the manufacture on a large scale of distilled, fermented and malt liquors within the area covered by the law. Whether it is moral to abolish factories in which men have invested their property, and which have grown up under the law, without offering the slightest compensation to those whose property is destroyed by law, is another question. But no one pretends that prohibition can abolish illicit manufacture; and illicit stills always turn out the strongest and most poisonous liquors. In Maine, the "hard" liquor usually sold produces forms of intemperance most injurious to health and life. It is

difficult to obtain malt liquors on account of their bulk. "The stricter the enforcement the poorer the liquor," which is often nothing but alcohol purchased from druggists and sold after dilution under the name of "split."

Prohibition can prevent the open importation of wine, beer or spirits. It cannot prevent smuggling, which, even without prohibition, flourishes at present along the Lower St. Lawrence with increasing vigor, according to the increase of the tariff or of licenses. Sir Richard Cartwright stated at the last session of Parliament that the loss to the revenue from this smuggling was \$800,000 a year, and that it was demoralizing the people of whole parishes. It would be impossible, he said, to bring guilt home to the principals without the aid of informers. The Government got a vote to pay informers, but very little has been done. The long, unsettled coasts of the gulf afford the smugglers too many facilities. The recent increase in duties has also led to an extensive illicit manufacture of alcohol in the country. What would happen under a Dominion prohibition law? Smuggling and illicit distilling would abound more and more in spite of armies of informers.

Prohibition can remove open temptation from the young and from persons disposed to alcoholic excess. It is practically helpless against "dives," "pocket-peddlers" and all the well-known variety of secret temptation which have such a fascination for the young. "Stolen waters are sweet." Still less can it subdue that desire for some stimulant which is all but universal in human nature, and which, when ordinary means of gratification are denied, finds relief in opium, morphine, chloral and drugs and drinks of various kinds more pernicious to the constitution than even whiskey.

COLLUSIVE SELLING.

Prohibition can prevent the open sale of intoxicants, though as long as druggists or other agents are allowed to sell for medicinal, mechanical or sacramental uses, or for use in the arts, it is extremely difficult to distinguish one class of buyers from another. But it can do nothing towards subduing the natural resistance of the human, and especially of the British heart, to restrictive legislation, which is an infringement on personal liberty.

"It is only in regions where prohibition prevails that illicit selling assumes large proportions." (See the report signed by President Eliot of Harvard, President Low of Columbia, and James C. Carter of New York.)

Now while, according to these eminent authorities, "the most minute and painstaking legislation has failed to attain the object of the prohi-

bitionists," let me quote a few sentences from their terrible arraignment of "concomitant evils of prohibitory legislation in Maine."

CONCOMITANT EVILS.

"The efforts to enforce it during 40 years past have had some unlooked-for effects on public respect for courts, judicial procedure, oaths and law in general, and for officers of the law, legislators and public servants. The public have seen law defied, a whole generation of habitual law-breakers schooled in evasion and shamelessness, courts ineffective through fluctuations of policy, delays, perjuries, negligences and other miscarriages of justice, officers of the law double-faced and mercenary, legislators timid and insincere, candidates for office hypocritical and truckling, and office-holders unfaithful to pledges and to reasonable public expectation. . . . The liquor traffic, being very profitable, has been able, when attacked by prohibitory legislation, to pay fines, bribes, hush-money and assessments for political purposes to large amounts. This money has tended to corrupt the lower courts, the police administration, political organizations and even the electorate itself. . . . Frequent yielding to this temptation causes general degeneration in public life, breeds contempt for public service, and, of course, makes the service less desirable for upright men. . . . All legislation intended to put restrictions on the liquor traffic, except, perhaps, the simple tax, is more or less liable to these objections; but the prohibitory legislation is the worst of all in these respects, because it stimulates to the utmost the resistance of the liquor dealers and their supporters."

Who would not rather have even the drinking customs as they were 50 years ago in Ontario than such a horrible state of things corrupting society at its fountain-heads? Fortunately, however, we are not called upon to choose between the two evils. We can continue to improve without attempting dangerous experiments on so delicate and complicated an organism as modern society.

Kingston, December 4th, 1897.

GEORGE M. GRANT.

PRINCIPAL GRANT'S THIRD LETTER,

**Showing that Prohibition has been a failure wherever tried,
and that rank hypocrisy results from this method of
dealing with Intemperance.**

(Special Correspondence of the Globe.)

The fact that, in 1884, a prohibitory amendment was added to the constitution of Maine, and that in 1890 a proposal to repeal the amend-

ment was emphatically voted down, is often given as sufficient answer to the evidence that prohibition does not prohibit. But no one doubts that a large majority of the people were enthusiastic abstainers before 1846 ; and the temperance organizations once converted to prohibition have continued to fight it out on that line ever since. In this, as in the case of Mahomet, Carlyle's question is the crucial one—"How did he get his sword?" By moral means ; but, alas ! having gotten it thus, he had not sufficient faith in humanity or in his message to trust to spiritual force. He fell back on coercion, and his successors have rested on it ever since. As we Christians have again and again manifested similar lack of faith, we must not be too hard on Mahomet ; but there is no need for us to continue imitating him.

MADE A PARTY QUESTION.

The question of prohibition in Maine soon became a party one, and so it has remained. In 1884 the constitutional amendment was adopted by the Republicans, the country was on the eve of a Presidential election, and men, many of whom hated the measure, had to pay the price for prohibitionist support. Yet the total vote was very small. In 1890 repeal would have been equivalent to declaring the failure of Republican policy in the State, and that admission the leaders of the dominant party could not afford. Here we can see a great evil that has resulted from prohibition. A movement which began on a lofty moral plane has become merely the football of partisan politics. The trained investigators already quoted give the following evidence :—"Men in sympathy with the aim of prohibition complain that temperance work, which formerly reached the masses, has degenerated into meetings for political purposes, or that the agitation for abstinence has become a cry for police and detective methods. . The identification of great temperance organizations with party politics has crippled their influence as popular moral agents, however much it may have aided the election of officials chosen for prohibitory purposes." Dealing with this point of the relation of politics to prohibition, the writers point out its baleful effects :—"Men assume a friendly attitude towards the law in which they disbelieve. The question of enforcement depends mainly on political exigencies, which again depend on the state of public opinion. A full-blown hypocrisy must result from this method of dealing with prohibition. Nowhere is it so blatant as in the Legislative halls, where men lend their votes in support of restrictive measures of which they not only disapprove, but violate openly, and even grossly. The corrupting influence of a large social element thriving in defiance of all law needs no further elucidation ; bribery, perjury, and official dishonor follow it."

ENDED IN FAILURE.

What a sorry ending for a noble crusade! Is not such a state of things, in public and private life, infinitely more odious in the sight of God and man than if there was as much drinking in the State of Maine as there is, say, in England, Scotland, Ireland, Sweden or even in Canada? But there is no need of argument on the point at issue. Prohibitionists admit frankly that in Maine the law does not prohibit. On this I submit, not my own testimony, or the testimony of friends, or of the correspondents of New York papers who have recently attended conventions, or other gatherings in the principal cities, but simply the following statement from the platform of the prohibitionists of the State met in convention at Waterville on April 30, 1896:—

“We declare that the State of Maine presents a condition of carelessness that disgraces its civilization, that nullification of the liquor law is widespread and open, that whole communities are compelled to consent to a shameless, illegal traffic, that country officials work the law for purposes of revenue, and that long-continued familiarity with illegal rum-selling has begotten, in a considerable number of citizens, a disrespect of the authority of the law in general.”

More of the same could be given, but this is enough. Good men are not going to work hard to serve such ends.

ONTARIO AND MAINE COMPARED.

It is admitted that prohibition does prevent high-minded, nervous, sensitive and other people from getting whiskey, wine or beer, even though they believe that it is required for their health. These classes will not stoop to the degradation of breaking the law or frequenting the purlieus to which the traffic betakes itself. But, feeling the need of tonics or stimulants, they get them legally and at an awful cost to brain and nerve. Here is a table which tells a tale. The population of Maine is 670,000, of Ontario about 2,200,000. The number of insane persons to the thousand is pretty much the same in the State and the Province, but as regards idiots what do the statistics say?

Maine—1896. Ontario—1896.

Number of idiots	1,591	605
Number of deaf and dumb.....	627	310
Number of blind	672	141

How does it happen that a fine State like Maine, with a vigorous, homogeneous population, chiefly agricultural, lumbering, and seafaring, has eight or nine times as many idiots to the thousand as Ontario? The cause is said to be that people have betaken themselves to alcoholized patent medicines and other kinds of pernicious stimulants. From the

character of the drunkenness I have seen in Maine, the dull, bemused faces and idiotic stare, and from what has been told me of the use of morphine in districts formerly under the Scott Act in Canada, I believe that this is one of the causes. Other features of the physical and religious condition of the people might be referred to, but it is sufficient to touch on direct and admitted results.

Prohibition, then, has been morally a failure, even when applied only to a homogeneous Province or State, with a strong public opinion in favor of the law. What would happen if the experiment were tried on the mingled races not yet fused into racial or national unity scattered over the vast areas of the Dominion of Canada? Little reflection is needed to convince us that its failure would be more certain and more disastrous.

INAPPLICABLE IN CITIES.

It is admitted that prohibition requires for its success a vigorous public opinion in its favor. Its advocates should therefore insist on securing a positive majority of the electorate before calling for the enactment of the law. That is not their usual attitude. It is also admitted that the law fails most conspicuously in large centres of population. Consequently, Massachusetts after trying prohibition for several years gave it up in 1874. During the latter years of the trial no serious attempts were made to enforce the law in cities like Boston, in spite of the strong Puritan element in them and the resolute Republican spirit which feels that toleration of disobedience to law is a disgrace to the commonwealth. But when the epithets "rum-ruled" and "rum-ridden" are to this day applied by the prohibitionists themselves to small cities like Portland, Lewiston and Bangor, what chance would there be of enforcing prohibition in Montreal, Toronto, Quebec and other Canadian cities?

PROVINCIAL COERCION.

Again, it is generally admitted that the Provinces of Quebec and British Columbia will vote against prohibition. Are we going to coerce whole Provinces or deprive them of the Provincial and municipal revenues which come from the liquor traffic? Let us not forget that those two Provinces and the Yukon Territory are peculiarly open to the operations of smugglers and illicit manufacturers. We are having a taste of this fact, even under a license system, as has been shown. But general public opinion now is against the smuggler. Then it would be on his side. What chance would there be of enforcing a prohibitory law in the mining camps and cities of British Columbia or along the creeks that run into the Yukon? This great river of Alaska is the open road

all the way from St. Michael's in the United States up to Dawson and to other "cities" that will spring into existence, like Jonah's gourd, and flit from place to place with their inhabitants, leaving as little trace as the tents of the Arabs. Along this broad, open summer roadway supplies will be sent up. Of what the demand for whiskey is likely to be anyone who knows placer pioneers can tell us. To these adventurers a drink is as necessary as a smoke, and if we are going to stop their grog we had better begin to enlist an army at once and turn the whole Mounted Police force into detectives. Then we might be able to substitute "split" for more wholesome or less poisonous liquors, but that would be all. The flow of bad whiskey could be no more stopped than the flow of the Yukon.

FRONTIER DIFFICULTIES.

Again, let us not forget this outstanding fact of our geographical position, that our frontier marches with the United States for thousands of miles. To illustrate what this would mean under a Dominion prohibitory law, let a thoughtful business man, of well-known temperance sympathies, in any one of our border towns, write a letter to the *Globe* dealing with the one point of the probable results there and in the town on the other side of the river or boundary line. What would be the result in Sarnia, for instance, and in Port Huron? One thing is certain, that the hearts of the liquor-sellers and of merchants generally in Port Huron would be made glad.

We may assume, then, that the law would be a failure in the Provinces and Territories specified, in our large cities and along the border, and wherever public opinion was not in its favor. Experience shows that the local authorities would decline to enforce it, and if a Dominion Constabulary were appointed nothing certain would be gained in the end, save enormously increased expense.

To discredit local self-government in a vain attempt to defeat the will of the people of a Province would be a fine achievement for any Government, Liberal or Conservative! The penalty might be raised from fines to imprisonment, but all experience shows that it is then impossible to obtain convictions in liquor cases. The moral is so obvious that it need not be drawn.

RESPECT FOR LAW.

Could the law stand under all the obloquy certain to be heaped upon it in our great centres, to begin with? At present Canada is honorably distinguished by the respect for law shown in all its borders. Miners from the United States feel from the first that the tone in this respect is

different from what they have been accustomed to and they conform readily to ours, at any rate, after their first contact with Canadian law, dressed in the garb of policeman or judge. Do not let us strain to the breaking point the traditional respect of our own people for the law. That is the result of centuries of training, and once broken it will not be restored in our day. It is like a woman's honor, too sacred to be trifled with.

I have abstained from speaking of the millions of revenue sacrificed by prohibition, of the cost of enforcement, or of the tens of millions worth of property virtually destroyed, because others can deal better with this side of the subject, and it is well sometimes to keep discussions on a higher plane than that of finance. Financial considerations cannot indeed be disregarded, and those who make light of the summary destruction of the property and industries of others ought at least to give a thought to the intense hatreds sure to be engendered in the minds of hundreds ruined and thousands thrown out of work. These sufferers would do everything in their power to defy, evade and discredit the law. From hating coercion they would pass inevitably to hatred even of the abstinence which is practised from the loftiest motives, and harden their hearts against the most earnest appeals of the best preachers of temperance.

Are we, then, to do nothing, are we to stand idly by while intemperance slays its thousands, earnest men and women may ask? Certainly not. We must be up and doing, but along right lines and not by exploded methods. Christians are surely not idle now. If we are not doing our best to raise the fallen, to inspire the doubting with faith and to save the lost, we are not Christ's disciples. True, we also have a duty to do as regards legislation. But my task at present is not to inquire what is the best liquor law for Canada, but to point out that prohibition would be the worst.

Kingston, Dec. 4, 1897.

GEO. M. GRANT.

PRINCIPAL GRANT'S FOURTH LETTER,

In which he replies to his critics, and shows that Prohibition is not based on equity, but is class legislation of the worst kind.

(Special Correspondence of the Globe.)

My letters on prohibition have elicited replies, the general nature of which may be judged by the remark of that unimpeachable authority, The Templar: "Many correspondents and many of our exchanges have

attributed base motives to Dr. Grant." The imputation of motives throws little light on the subject, but much light on The Templar's correspondents and exchanges—if there is good foundation for the motto of the Order of the Garter. I also have received a great many letters, some of them from gentlemen, while others can only be described by saying that—compared with them—Dr. Carman's are models of literary style and Christian temper, and Bystander's worthy of the aged scholar. Reply to them, or even to Dr. Carman, or to the editor of *The Farmer's Son*, is impossible. Several of *The Globe's* correspondents, however, belong to a different class, and after concluding my course of letters to *The Globe*—now to be postponed, I may say, till the hurly-burly of the election is over—I shall do my best to answer them, readily admitting any weakness in the argument that may be shown, at the risk of forfeiting the admiration of *The Templar*, which "appreciates most a good man who makes no mistakes." Do men who make no mistakes ever make anything? Are they not generally uncandid, cowardly, or poor, colorless creatures?

I must, however, not delay acknowledging that Mr. Frizzell has pointed out in his last letter a mistake which, though not affecting my main argument, is of some importance. From a pamphlet entitled "*The Question of a Dominion Prohibitory Law*," considered in its financial, moral and religious aspects, by Wakefield Hardgrave, A. B., (Toronto: *The Authors' Publishing Co.*, 1897), I gave the number of idiots, blind, deaf and dumb, in Maine, and in the Dominion; and I find now, thanks to Mr. Frizzell, that the table, not being based on similar data in the two cases, is worthless. The census returns, and what is known regarding the number of our idiots, seem to show that there are decidedly more, proportionately, in Maine than in Ontario, but as an exact comparison cannot be made, I unreservedly withdraw that portion of my letter; just as one reverend gentleman will readily withdraw his statement that I was one of the minority who dissented from the finding of the last General Assembly, and another will withdraw his attack on me for not having expressed my views there instead of in the columns of *The Globe*, on learning that I was not in Winnipeg when the subject came before the House. As their general argument is not affected by the mistake, neither is mine; for the one point I am endeavoring to prove is that a Dominion prohibitory law would injure temperance and public and political morality.

I also admit, and indeed never dreamed of denying, that the General Assembly has passed resolutions in favor of prohibition, but whatever respect may be demanded for such resolutions, their moral weight is greatly lessened by

the fact that a majority of the men who have been called to the Moderator's chair since the Union have been on the other side, as well as the most distinguished of our laymen and clergymen, like the late Rev. D. J. Macdonell, Dr. Milligan, Dr. Barclay, Dr. Thompson, and others quite as representative of the best thought and work of the church as even its Moderators.

THE IOWA CONVENTION.

The object of the rest of this letter is to consider the fundamental question as to the duty of the State regarding the importation, manufacture, and sale of articles the excessive use of which is injurious. The declaration of the Iowa State Temperance Convention in 1885 that "the manufacture and sale of intoxicating liquor as a beverage is a crime *per se*" certainly does not settle the question. Indeed, how can rational or Christian men believe such an assertion? Is it innocent for men to use the juice of the grape in the autumn, but criminal to preserve it for winter use, after it passes through the natural process of fermentation into a condition in which it can be preserved? Logically, it would be as sensible to say that it is lawful to eat wheat, but not to eat it when baked into bread, because it has gone through the process of fermentation. If it is a sin or crime to sell a glass of wine, it must be equally so to drink it, and if one party to the transaction is punished the other should be also. And if it is a crime to drink a glass it must be so to drink a mouthful, and, therefore, the countless millions who have obeyed the dying command of their Lord have been criminals! The conclusion is shocking, but there is no escape from it, if the Iowa principle be accepted and if logic counts for anything. Consistently, therefore, the Maine law forbids negatively the use of wine for sacramental purposes, for it allows it to be sold only for medicinal or mechanical purposes. All men have equal rights before the law, and to Mohammedans and Buddhists sacramental and beverage use would be the same, as well as a practice forbidden by their religion. Indeed, at the institution of the Supper the wine was used as a beverage and it is still so used, though in practice each communicant drinks only a small quantity.

Dismissing, then, the Iowa declaration as repugnant both to common sense and religion, do we find any firmer ground in the assertion that the law has as much right to forbid the sale of anything that intoxicates as it has to forbid murder, theft, arson or anything else that is wrong *per se*? This contention is as worthless as the other. The law cannot make that to be a crime which the reason and conscience of humanity refuses to consider a crime, without enlisting society in opposition to law. A

little consideration will make it clear that, while laws against murder or theft are necessary to the existence of society, laws against the use of what may be abused are opposed to its highest good ; that is, to the free development of society. " They are not skilful considerers of human things," says Milton, " who think to remove sin by removing the matter of sin ; for, though some part of it may for a time be withdrawn from some persons, it cannot from all. And supposing we could expel sin by these means ; look, how much we thus expel of sin, so much we expel of virtue, for the matter of both of them is the same ; remove that and ye remove both alike. This justifies the high Providence of God, who, though He commends us temperance, yet pours out before us, even to profuseness, all desirable things."

INDIVIDUAL FREEDOM.

The problem of how far the State may go in limiting the freedom of the individual for the sake of the general welfare is confessedly a difficult one, but that is not the problem here. How can the general welfare be prompted by limiting freedom and thereby, as Milton says, " abridging those means which are for the trial of virtue and the exercise of truth ? " Surely the aim and method of a free society should correspond to the Divine method. The object of every worthy society should be to develop its citizens into more and more perfect freedom ; and freedom, let it always be remembered, is not a power or gift which man has to begin with, but the goal, or end, to which the whole process of development is directed. Long ago it used to be thought the function of the State to protect grown men against themselves, on the plea that the State or the church—that is, in one word, somebody else—knew what was good for them better than they knew themselves. Thus the law in Spain prevented men from becoming Protestants and the law in Sweden prevented them from becoming Roman Catholics ; the Puritan Parliament of England pronounced the punishment of death on all who denied the doctrine of the Trinity, and Russia still punishes horribly the poor Stundists for not adhering to the Orthodox Church. All these prohibitory laws, too, met with a large measure of success, for in the old days law was enforced with uncompromising vigor, as it still is in Russia.

But even in those days they tried in vain to enforce prohibitory laws against the use of beer ; and we thought that society had outgrown the notion that the way to develop men is to multiply laws and to fetter personal liberty.

It is not the function of a free State to protect grown men against themselves. If men abuse their liberty to the injury of others, let them be duly punished and their own consciences will assent to this as righteous ; or let them be cared for as weaklings and wise efforts made for their reformation. All that is right and within the function of the State, but it is not right when for the sake of criminals and weaklings the community is denied the natural opportunities of developing into the highest

condition of freedom or self-realization. Individuals may, rather let us say ought to, deny themselves for the sake of criminals and weaklings. The more of such individuals a society has the more Christian it is, provided always that they do not become censorious and Pharisaical in their self-denial. Religion has a higher region than the State. The State punishes evil, while religion says to its votaries, "Overcome evil with good." The Christian principle is, "I will eat no meat rather than my weak brother should suffer." But if the State enacts, "No one shall eat meat lest the weak suffer," it becomes a despotism. It puts its trust in the policeman or the bayonet, and, instead of making its people free citizens, it makes them moral weaklings and hypocrites.

PROTECTION, NOT OPPRESSION.

But is not a framework of law necessary for the protection of society? Certainly, but it is needed for the protection, not for the oppression, of society; not for the good, who are under a higher law, but for the bad, as the apostle tells us. The State cannot add new commandments to the decalogue which Christianity has accepted as a summary of moral law. It may indeed invade the domain of personal rights as far as necessity demands, but when it moves in that direction it should move slowly, tentatively and not attempt more than it is reasonably sure of becoming able to enforce. Otherwise it will assuredly provoke resistance from men whose natural disposition is to honor and observe law. Just let Parliament try such an invasion of personal rights as a prohibitory law involves on cities like Toronto or Montreal, and there would be an explosion and a recoil against temperance which would astonish those who now talk glibly about the ease with which the law could be enforced. At present people are taking the matter coolly. They consider the discussion largely academical. Probably they will not think it worth their while to vote on the plebiscite. But attempt to put such a law in practice and the experience of astonished St. John in 1856 gives us an inkling of what would certainly happen in cities five or ten times its size.

NOT BASED ON EQUITY.

We are told that laws educate in the right direction. Not unless they are based on reason and on equity. Now, the reason of mankind has spoken emphatically against prohibition. Not one Christian country has tried it. States in the Union, a country with people always ready to blow themselves up with rash experiments, have adopted it in haste, and the majority of these have repented already. Neither is it based on equity. It is essentially class legislation, and that always provokes hatred.

There are dangers enough already threatening society and our national welfare. Let us not add to them one that would in its effects on Canadian life be worse than any other, and, may I venture to say to my brethren in the ministry, do not countenance vile attacks on those who, at much cost to their own feelings, are warning their fellow-citizens of grave dangers into which they may fall through listening to their hearts rather than to their heads.

Kingston, Feb. 1.

G. M. GRANT.

Goldwin Smith in Opposition.

Prohibition Trenches on Personal Liberty.

ALWAYS FAILS OF ITS OBJECT.

Argument that It Will Do More Harm Than Good
to Public Morality.

To the Editor of the Toronto SUN :—

SIR,—The issue of prohibition is now fairly before us, and surely we may discuss it as fellow-citizens having the same end in view, without disparagement to each other's character and motives. The policy of prohibition is questioned not only by the liquor interest, but by a great body of people totally unconnected with that interest—friends of temperance and temperate themselves—who are opposed to prohibition because they sincerely believe that besides trenching on personal liberty, it fails of its object, and always has done, and is likely always to do, more harm than good to public morality.

Drunkenness we all abhor and despise. On that subject opinion, which formerly was unsound, is now perfectly sound. It constitutes a social law really more powerful, more certain in its operation, surer in the infliction of its penalties, than laws written on the statute book and enforced by the police. The man who is known to be a drunkard is socially and industrially under a ban. Nobody is willing to employ him ; he forfeits his chances of marriage ; the insurance office shuns him ; disgrace and poverty are his lot. It used to be far otherwise. Excess in liquor was once almost a part of hospitality. But it is not so now. This very temperance movement is a proof of the strength of feeling on the question which makes itself felt in all departments and relations of life.

In the Light of Experience.

Where prohibition has been tried what has been the practical result? We have a right to ask this when we are called upon to make what all admit to be a very costly as well as a very critical experiment. We should have to sacrifice seven millions of revenue. We should have to kill the capital invested in the trade, amounting, it seems, to fifty millions. We should have to throw out of work thousands of people directly or indirectly earning their bread by the business. We should have seriously to injure the growers of barley, cider apples, and grapes. If we admitted, as in justice we could hardly fail to admit, a claim for compensation, another large item would be added to the account of loss. We should have to pay for the additional police necessary to guard our immense frontier and to coerce the less settled sections of the population, such as the mining adventurers of the West. We might possibly have to coerce Quebec. We should further imperil the interests of our country by proclaiming it to be under an ecclesiastical and ascetic rule, which many, rightly or wrongly, abhor. Without setting material loss against moral gain, we are entitled to proof, before incurring so great a material loss, that we are sure of the moral gain. Prohibitionists themselves, regardless as they may be of worldly interests compared with the principle, would not wish to see the cause of temperance saddled with the memory of a ruinous failure.

We all, it may be presumed, prefer liberty and the virtue which is freely formed. Temperance in its proper sense is self-restraint, and would cease to exist if abstinence were enforced by law. However, in desperate cases desperate remedies must be applied. But is the case of Canada desperate? Is Canada a drunken country? Is it not, on the contrary, temperate, and increasingly so? Have not education, religion, and the teachings of medical science been doing their work? Professor Blaikie thought he was scoring a point for prohibition by complimenting Toronto on the freedom of its streets from drunkenness. But Toronto was not under the Scott Act.

There have been false alarms. A temperance lecturer once said that there were 10,000 deaths in Canada annually from alcohol. Ten thousand would be more than half the male adult deaths in the Dominion. Even three thousand or four thousand deaths from alcohol (the estimates of the Hon. George E. Foster and the Hon. G. W. Ross respectively) must be very far beyond the mark.

The Scott Act.

We have tried prohibition in the form of the Scott Act. County after county adopted the Act; county after county repealed it by majorities larger than those by which it had been passed, finding, as there was a large body of evidence to show, that while the Act stopped social conviviality it increased secret indulgence; that it led to contraband traffic in liquor, to contempt of the law, to perjury, to the evils of the spy system, to disturbance of neighborly peace and good will. Here was a genuine popular verdict founded on a practical trial of the system. Nor was it really reversed by the subsequent provincial plebiscite in favor of prohibition carried by a majority in the proportion of 19 to 11, while only 58 per cent. of the vote was polled, and the balance might safely be set down as in the main opposed or indifferent. The enactment and the repeal of the Scott Act were legislation approached by the voter with a full sense of responsibility. The plebiscite was not legislation; it was a mere fancy vote.

It may be said that the Scott Act was local, and that the area was not large enough to keep off contagion. But would the area of Canada be large enough to keep off contagion? Would not the taste be revived in every Canadian who crossed the line or went to England? Popular literature, such as the works of Dickens, is full of the convivial use of liquor, and its influence no law could annul. There would be little hope, therefore, of eradicating the desire in the long line of provinces stretching from the Atlantic to the Pacific.

It is said that the repeal of the Scott Act was followed by an increase in drunkenness. This is not unlikely. Overstraining is naturally followed by a recoil. Puritan overstrictness was avenged by the outburst of licentiousness in the reign of Charles II.

Across the Border.

Massachusetts, the model State of the Union, tried prohibition for a series of years, and gave it up, finding that the closing of the public places of sale multiplied the secret places; that more liquor and worse liquor was drunk; and that there was more drunkenness in Boston than ever. "The mere fact," says the report, "that the law seeks to prevent them from drinking, rouses the determination to drink in many. The fact that the place is secret takes away the restraint which in more public and respectable places would keep

them within temperate bounds. The fact that the business is contraband and liable to interruption, and that its gains are hazardous, tends to drive honest men from it and leave it under the control of dishonest men, who will not scruple to poison the community with vile adulteration."

Vermont, a rural State, without slums, tried prohibition for 40 years, piled one repressive enactment upon another, heaped up penalties, gave the police power to enter any house without a warrant. The result, as stated by Mr. Edward Johnston, in the *Popular Science Monthly* for May, 1884, was that for all practical purposes the law was a dead letter. There were dram shops in the principal streets, and no concealment of the illegal traffic. Nobody dreamed of enforcing the law as the laws against burglary and larceny are enforced. Perjury and subornation of perjury, disregard and contempt of all law, were practically fostered and encouraged.

In Iowa, a correspondent of *Harper's Weekly* reported that prohibition in the cities meant free liquor. A correspondent of the *New York Nation* confirmed the statement. Dr. Dio Lewis, in places where he had been assured that drink could not be had for love or money, saw drunkards reeling in the streets. In Iowa City he saw from 75 to 100 kegs of beer delivered on trucks. The business directory of Dubuque, a city of 35,000 inhabitants, comprised two breweries, 35 hotels, 10 wholesale liquor places, and 181 saloons. Formal prosecutions were a mere mode of raising a tax. Druggists' shops were turned into liquor shops, with a few drugs in the window.

In Kansas, the State of Governor St. John, the chosen chief of prohibition, where the most stringent prohibition had been enacted, the result, according to Dr. Gardner, was that the drug stores were little more than rum shops, and that their number was astonishing. In one town of four thousand people, fifteen of them were counted on the main street. Leavenworth, with a population of 23,000, had a hundred and seventy-five places where liquor was sold. In Kansas City the police collected, in 1882, \$45,000 in fines for illegal sale of liquor. There is a general tendency to convert prohibition, where it prevails, practically into license, by taking the fees under the guise of fines. In Tongawoxie, a small town in Kansas, where there was no saloon before prohibition, there were three or four afterwards. This is against the theory that prohibition works well in small places, though in large cities it works ill. At Topeka, in Kansas, there are

no saloons. But there were none when prohibition was introduced, popular feeling being against them. A proof that it is popular feeling that is strong, rather than prohibitive law.

In Maine.

Maine is the banner State of prohibition. It had been trying the system for nearly half a century, time enough to kill the liquor traffic, if the liquor traffic was to be killed. Yet "Gail Hamilton," who knew the State well, said in the *North American Review*: "The actual result is that liquor is sold to all who wish to obtain it, in nearly every town in the State. Enforcement of the law seems to have little effect. For the past six years the city of Bangor has practically enjoyed free rum. In more than one hundred places liquor is sold, and no attempt has been made to enforce the law. In Bath, Lewiston, Augusta, and other cities, no real difficulty is experienced in procuring liquor. In Portland, enforcement of the law has been faithfully attempted, yet the liquor traffic flourishes for all classes, from the highest to the lowest.... In a journey last summer for hundreds of miles through the cities and through the scattered villages and hamlets of Maine, the almost universal testimony was 'you get liquor enough for bad purposes in bad places, but you cannot get it for good purposes in good places.'" "What works against prohibition," the writer added, "is that in the opinion of many of the most earnest total abstinence men, the original Maine law State, after thirty years of prohibition, is no more a temperance State than it was before prohibition was introduced." It appears that upwards of 1,000 people in the State paid United States retail liquor tax, though Archdeacon Farrar was informed that the trade had been completely driven out of sight. With these accounts the general results and most recent enquiries appear to correspond.

Neal Dow.

Gen. Neal Dow himself, upbraiding his former party for its slackness in the cause, complained of the number of low drinking places infesting the cities of Maine. The *New York Sun*, after investigation carried on through its correspondent, said: "The actual state of affairs in Maine is perfectly well understood by every Maine man with eyes in his head, and by ever observant visitor to Maine. In no part of the world is the spectacle of drunken men reeling along the streets more common than in the cities and larger towns of Maine.

Nowhere in the world is the average quality of the liquor sold so bad ; and consequently so dangerous to the health of the consumer and the peace of the public. The facilities for obtaining liquor vary in different parts of the State, from the cities where fancy drinks are openly compounded, and sold over rosewood bars, to the places where it is dispensed by the swig from flat bottles carried around in the breeches pockets of perambulating dealers. But liquor, good or bad, can be bought anywhere." Perjury, the Sun correspondent also stated, as usual was rife. In the cities of Maine, though the law had been forty-six times amended to sharpen its teeth, liquor, generally of a bad kind, was freely, though clandestinely, sold. "Pocket peddling" was rife, and pressed the temptation on the young. The city of Bangor had openly taken itself out of the law, and established a liquor system of its own. In Portland the city government sold liquor nominally for medicine, but really also as a beverage, and the agency was a scene of falsehood, jobbery, and corruption. The corruption of city officers was an almost inevitable and a serious consequence of the system. Some of those who had administered the law in Maine were among the strongest advocates of repeal, and of a return to the license system. They tried to give effect to the law. They fined, they imprisoned, they perhaps ruined one set of liquor dealers, and the only result was that a worse set succeeded.

It is said that in Maine the abuse is confined to the mixed population of cities, especially the seaports, and that in the rural districts the law is successful. It is apparently successful in the rural districts, because there people are temperate of their own accord. It fails where coercion is needed.

I interviewed Neal Dow, the venerable patriarch of prohibition. It may have been a casual mood, but he seemed to me to be disappointed and somewhat embittered. The wife of a man imprisoned for liquor selling had sold some liquor, which was left in the house, to buy bread. Neal Dow spoke of her offence and of the punishment which she merited in very extreme terms. Moral crusades have done much for us. But moral crusaders are apt in their zeal to overstep the limits of justice. The Scott Act set up arbitrary tribunals, forced a man to criminate himself, compelled husband and wife to break the marriage vow by testifying against each other. The practice of forcing the consciences of candidates at elections is not consistent with public morality, or with true loyalty to

the commonwealth, whose general interests it disregards. Traders in liquor are treated as assassins, and put out of the pale of justice, though they have been specially recognized by the State, which has received their license fees.

Some years ago seventy or eighty taverns were suddenly closed in Toronto. The keepers of the taverns could not starve. They sold liquor secretly, and the result was an unusually drunken Christmas. The tavern door, when you have closed it by law, ceases to tempt; but the illegal liquor seller may be a more active tempter.

In all these cases the law no doubt has its friends. It could not otherwise have been passed, and its friends naturally give a favorable account of its operation. Much evidence of that kind was given to the Canadian Commissioners, and has formed the basis of a minority report. But, making the fairest allowance for this, and supposing the evidence to be balanced, it is surely impossible to say that in any case there is such practical proof of the success of prohibition as would warrant us in encountering all the cost and risks of a sweeping measure for the whole Dominion. Improvement which was really spontaneous may sometimes have been credited to law.

In Foreign Countries.

Evidence of the evils of drunkenness, though largely given, is not to the point. The evils of drunkenness nobody disputes. The question is only as to the practicability and efficacy of the remedy now proposed.

Imposing statistics are brought to prove a connection between drinking and crime; and it is inferred that if you stop drinking crime will cease. Is there not a fallacy here? In most cases, is it drinking that is the parent of crime, or is it not rather depravity of nature, inherited or induced by circumstances, that is the parent of both? Besides, criminals have learned the trick of pleading drink as the origin and excuse of their crimes. There is no absence of crime in Turkey, where the Koran prohibits drink, or in Spain, which is noted for temperance. We are also told that drunkenness is the great source of poverty. That drunkenness, where it exists, is a source of poverty cannot be questioned. But the sources of poverty are countless, including fluctuations of industry, decline in the value of products, and other economical causes, as well as personal infirmities,

disease, and mere idleness and thriftlessness, which are often found apart from addiction to drink. The poverty of the millions in Hindoostan has not its source in drink.

That the moderate use of liquor must lead to excess is an assumption at variance with facts. English gentlemen use wine daily, and abhor drunkenness. Millions and tens of millions in other countries do the same. In Spain, we are told, everybody drinks a little wine, yet a drunken man is almost a prodigy. Croker, in his "Travels in Spain," says: "The habitual temperance of these people is really astonishing; I never saw a Spaniard drink a second glass of wine." Another English tourist says: "In all our wanderings through town and country, along the highways and byways of the land, from Bayonne to Gibraltar, we never saw more than four men who were the least intoxicated." Mr. Bryant, the American author, has confirmed this account.

Moderate Drinking.

Nothing can be better proved than that to carry into effect laws of this kind in a free country you must have the conscience of the people thoroughly and actively with you. Men may vote for prohibition from general hatred of intemperance; perhaps under ministerial or personal influence; but will their conviction be strong enough to make them join heartily in giving effect to the law? They would do their best to bring a murderer or a thief to justice. Will they do their best to throw into gaol and ruin a neighbor, otherwise harmless, perhaps a friend or acquaintance, for selling or drinking a glass of whiskey or ale? Will they not be apt, even if they are abstainers themselves, rather to help him to get off? The people do wrong in breaking or evading the law; but the legislator does wrong in making a law which the people are sure to break.

No fair-minded prohibitionist can think that the use of fermented liquors is so clearly immoral that in suppressing it the consciences of all men will be with you. Christ undoubtedly used wine; His apostles used it; He made it an element in His most sacred ordinance for ever. An overwhelming majority of mankind still use fermented liquors. The taste is coextensive and coeval with humanity. In the earliest mythologies there are gods of wine. The great prohibitionist, Archdeacon Farrar, most positively disclaims the belief that the moderate

use of liquor is criminal. Mr. Gladstone is known to have used wine.

Nor can you reasonably say that all fermented liquor is poison when you see moderate drinkers living to a hundred, and find moderate use still prescribed by eminent physicians. You may think, possibly with reason, that whiskey or beer is unwholesome ; though the constitutions of men may differ in that respect. But mere opinion that an article of diet is unwholesome, especially when the opinion is so far from being universal, is not a sufficient ground for the interference of the law. Behind this agitation for the prohibition of drink begins to loom an agitation for the prohibition of tobacco. If the experts of medical science would pronounce unanimously, or with any approach to unanimity, that the moderate use of liquor necessarily generated disease, and shortened life, the effect would presently be seen.

Those who sincerely believe that such laws are a tyrannical misuse of political power, in resisting as far as they lawfully could the application of the measure, would be acting no less conscientiously than those who were striving to put it in force.

Prohibition discriminates against the lighter drinks, such as wine, beer, and cider, and in favor of whiskey, because the bulk of whiskey being less, it is more easily smuggled, while its clandestine manufacture is more easily concealed. Besides, there are other intoxicants, such as opium and chloral, the use of which would be likely to increase when liquor was withdrawn.

Legal prohibition kills voluntary efforts such as that of the Bands of Hope or the Good Templars, which have done so much to diminish drinking. It is believed that this effect is already felt in advance, and that it accounts for a slight increase of inebriety in some places. Nor, if coercion fails, will organization for voluntary effort be easily revived.

Everybody admits that the liquor trade has its special dangers, and stands in special needs of legislative supervision and control. These may be applied to any extent, and in any form which may seem expedient, so long as the trade is in recognized and responsible hands. When the trade becomes contraband all regulation is practically at an end.

GOLDWIN SMITH,
Former President of the Liberal Temperance Union.

In Voting for Prohibition you prohibit the manufacture and sale of Spirits, Wine, Etc., Beer, Cider, and all other alcoholic Liquors.

The question to be voted on will be stated on the ballot offered to each voter in the following words:—

“Are you in favor of the passing of an Act prohibiting the importation, manufacture or sale of spirits, wine, etc., beer, cider, and all other alcoholic liquors?—
YES—NO.”

THE VOTE WILL BE TAKEN THURSDAY, 29th SEPT., 1898.